

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

PIU MANAGEMENT, LLC, ET AL.	§	
	§	
VS.	§	CIVIL ACTION NO. H-08-2719
	§	
INFLATABLE ZONE INCORPORATED	§	

ORDER

On August 11, 2010, this Court conducted a Hearing on the Motion for Leave to File Second Amended Complaint of Plaintiff, Bounce Zone, Inc.. The Court, having considered the Motion and heard arguments of counsel is of the opinion that the following Orders are appropriate.

It is **ORDERED** that despite the fact that the Motion (Instrument no. 76) is untimely, it should be, and it is hereby, **GRANTED** in the interests of justice. Cf. Sherman v. Hallbauer, 455 F.2d 1236, 1242 (5th Cir. 1972) (Revised theory of recovery set forth in response to motion for summary judgment must be treated as a motion to amend pleadings filed out of time.)

It is further **ORDERED** that Defendant, Inflatable Zone Incorporated, **SHALL** tender, on or before Friday, August 13, 2010, to Bounce Zone a copy of the settlement agreement reached with Co-Plaintiff PIU Management, LLC.

It is further **ORDERED** that the discovery period is **REOPENED** and **EXTENDED** to October 1, 2010.

DONE at Houston, Texas, this _____ 11th _____ day of August, 2011.



John R. Froeschner
United States Magistrate Judge